

FILED: May 24, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-539
(4:96-cr-00312-CMC-1)

In re: STEVEN LACHINSHER SINGLETARY

Movant.

O R D E R

Steven Lachinsher Singletary has filed motions pursuant to 28 U.S.C. §§ 2244(b), 2255(h) (2012) for authorization to file a second or successive 28 U.S.C. § 2255 (2012) motion. Singletary has made a prima facie showing that the new rule of constitutional law announced in Johnson v. United States, 135 S. Ct. 2551 (2015), and held to apply retroactively to cases on collateral review in Welch v. United States, 136 S. Ct. 1257 (2016), may apply to his case. Accordingly, we grant Singletary authorization to file a second or successive § 2255 motion, thus permitting consideration of the motion by the district court in the first instance. The one-year limitations period under 28 U.S.C. § 2255(f)(3) for filing a § 2255 motion based on the Supreme Court's decision in Johnson expires on June 26, 2016.

Entered at the direction of the panel: Judge Niemeyer,
Judge Shedd, and Judge Diaz.

For the Court

/s/ Patricia S. Connor, Clerk